

Law Office of Peter C. Humblias LLC

**40 East Midland Avenue
Paramus, New Jersey 07652
201-483-9703 Phone
201-483-9708 Fax
www.humbliaslaw.com**

**Kenneth T. Gallo, Esq.
Senior Counsel
ken@humbliaslaw.com**

**Peter C. Humblias, Esq.
Licensed in NJ, NY, CT, MA
Lead Counsel
peter@humbliaslaw.com**

**Mayda Haroutunian
Paralegal
mayda@humbliaslaw.com**

August 28, 2017

VIA ECF AND EMAIL ONLY TO: chambersnysdseibel@nysd.uscourts.gov

The Hon. Cathy Seibel, U.S.D.J.
The Hon. Charles L. Brieant Jr.
Federal Building and United States Courthouse
300 Quarropas St.
White Plains, New York 10601-4150

**Re: Schroeter v. Hi-Tech
2015 CV 8966 (CS)**

Dear Hon. Seibel:

As I'm sure Your Honor is no doubt aware, a Status Conference is currently scheduled to take place before Your Honor on the above-captioned matter this Wednesday, August 30, 2017, at 11AM to set the briefing schedule of Defendant Hi-Tech's still pending Motion to Vacate Judgment (herein referred to as "MVJ").

I have conferred with opposing counsel for Plaintiff, Carl Schroeter, this morning via email, Attorney Jim Krauzlis, and we have agreed (at my suggestion and subject to Your Honor's approval of course) that the MVJ should be indefinitely adjourned while Attorney Krauzlis procures and supplies me with all the information/documentation we spoke about at the last Settlement Conference held before the Honorable Lisa Margaret Smith, U.S.M.J, on August 16, 2017 in furtherance of trying to settle/resolve this matter in its entirety prior to the MVJ being adjudicated by Your Honor.

Specifically, Attorney Krauzlis agreed at the Settlement Conference to remit any and all information and/or evidence he may have/can get, or that his client may have/can get, evidencing that Trade Trans, CMA and the Port all checked the refrigeration unit (which apparently failed at some point) when it was picked up by my client at CMA, when it left the Port, when it was brought for loading to Trade Trans, when it left from being loaded at Trade Trans and finally when it was returned to the Port by my client as I have received none of that information/documentation to date in this case to date. I contend that such a showing would go a long way towards my talks with my client and on-going settlement negotiations. I am hopeful that if Attorney Krauzlis supplies me with the foregoing proofs/evidence/information, I will, in turn, thereafter be successful in speaking

to my client to increase his current settlement offer and hopefully/potentially resolve this matter in its entirety without the need for judicial intervention and/or the squandering of valuable judicial resources.

In conjunction with the above, Attorney Krauzlis and I have further expressly agreed by way of on-going stipulation that his firm and/or its client will continue to refrain from any and all legal and/or collection methods/actions against my client in this matter pending resolution/adjudication of the MVJ should our on-going settlement discussions ultimately prove unsuccessful.

In light of the above, Attorney Krauzlis and I respectfully request Your Honor cancel the Settlement Conference on August 30, 2017, table the MVJ indefinitely and grant the parties the latitude and time requested herein to attempt to exchange information/documentation and then potentially/hopefully settle the matter. I, of course, have the express consent of my adversary, Attorney Krauzlis, in writing the within letter to Your Honor.

We appreciate Your Honor's and Your Honor's Law Clerk's time, assistance and professional courtesies in this matter and we, of course, stand fully prepared to follow Your Honor's instruction herein. Thank you in advance and much appreciated.

Respectfully submitted,

S/ Peter C. Humblias
Peter C. Humblias, Esq.

cc: James P. Krauzlis, Esq. (Via email and ECF)